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## **UNITED STATES DISTRICT COURT**

## **DISTRICT OF ARIZONA**

| UNITED | STATI                          | =S OF | $\Delta N I = 1$ | $\square \cap \Delta$ |
|--------|--------------------------------|-------|------------------|-----------------------|
|        | $\sim$ 1 $\Delta$ 1 $^{\circ}$ |       | AIVIE            | $\sim$ 10 $^{\prime}$ |

|                   | V.  |  | ORDER   | ORDER OF DETENTION PENDING TRIAL  |  |  |  |  |
|-------------------|---|--|---|---|--|--|--|--|
|                   |   | Ivan Medina-Cruz   | Case Number:  | 11-3021M  |  |  |  |  |
| Defend            | dant was                                    |  | unsel. I conclude by a prepondera   | was submitted to the Court on 1/13/2011. nce of the evidence the defendant is a flight risk   |  |  |  |  |
|                   |   |  | FINDINGS OF FACT  |   |  |  |  |  |
| I find b          | y a prep                                    | onderance of the evidence that:  |   |   |  |  |  |  |
|                   | $\boxtimes$                                 | The defendant is not a citizen of the United States or lawfully admitted for permanent residence.  |   |   |  |  |  |  |
|                   | $\boxtimes$                                 | The defendant, at the time of the  | charged offense, was in the Unite   | ged offense, was in the United States illegally.  |  |  |  |  |
|                   |   | If released herein, the defenda<br>Enforcement, placing him/her bey<br>or otherwise removed.   | nt faces removal proceedings to cond the jurisdiction of this Court and   | aces removal proceedings by the Bureau of Immigration and Customs the jurisdiction of this Court and the defendant has previously been deported |  |  |  |  |
|                   |   | The defendant has no significant   | contacts in the United States or in   | the District of Arizona.  |  |  |  |  |
|                   |   | The defendant has no resources i to assure his/her future appearan   | the United States from which he/she might make a bond reasonably calculateds.   |   |  |  |  |  |
|                   | X   | The defendant has a prior crimina  | al history.   |   |  |  |  |  |
|                   |   | The defendant lives/works in Mex   | tico.   |   |  |  |  |  |
|                   |   | The defendant is an amnesty ap substantial family ties to Mexico.  | plicant but has no substantial tie  | es in Arizona or in the United States and has   |  |  |  |  |
|                   |   | There is a record of prior failure to  | o appear in court as ordered.   |   |  |  |  |  |
|                   |   | The defendant attempted to evad  | e law enforcement contact by flee   | ing from law enforcement.   |  |  |  |  |
|                   |   | The defendant is facing a maximu   | um of years impriso   | nment.  |  |  |  |  |
| at the t          |   | ourt incorporates by reference the mane hearing in this matter, except as  | noted in the record.  | rices Agency which were reviewed by the Cour  |  |  |  |  |
|                   | 1.  | There is a serious risk that the de  | CONCLUSIONS OF LAW fendant will flee.   |   |  |  |  |  |
|                   | 2.  | No condition or combination of co  |   | e appearance of the defendant as required.  ON  |  |  |  |  |
| appeal of the U   | ctions fa<br>. The de<br>Jnited Stant to th | icility separate, to the extent practical strength of the extent practical strength of the extent practical strength of the pure the extent of the extent | able, from persons awaiting or servable opportunity for private consult or the Government, the person in croose of an appearance in connectable AND THIRD PARTY RELEA | SE  |  |  |  |  |
| deliver<br>Court. |   |  |   | he District Court, it is counsel's responsibility to<br>be day prior to the hearing set before the District                                     |  |  |  |  |
|                   | es suffic                                   |  |   | ed, it is counsel's responsibility to notify Pretria etrial Services an opportunity to interview and  |  |  |  |  |
| Date: _           | <u>Janua</u>                                | ry 13, 2011  |   | . 0 . 1   |  |  |  |  |

Edward C. Voss United States Magistrate Judge